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State Superintendent of Public Instruction

**CALIFORNIA
DEPARTMENT
OF
EDUCATION**

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December 5, 2002

To: County and District Superintendents
County and District Chief Business Officials
Charter School Administrators

From: Janet Sterling, Director
School Fiscal Services Division

Subject: Annual Adjustment to Liability Limit of Parent or Guardian for Willful Pupil
Misconduct

[Education Code Section 48904\(a\)\(1\)](#) provides that the parent or guardian of a minor is liable for all damages caused by the willful misconduct of the minor that results in the injury or death of any pupil, school district or private school employee, or school volunteer. The parent or guardian is also liable for damages to real or personal property belonging to the school district or private school, or personal property belonging to a school employee, resulting from the willful misconduct of the minor. The liability of the parent or guardian is limited to \$10,000, adjusted annually for inflation.

[Section 48904\(a\)\(1\)](#) also specifies that the parent or guardian of a minor is liable for any reward, not exceeding \$10,000 (adjusted annually for inflation) paid pursuant to [Government Code Section 53069.5](#). Section 53069.5 allows local agencies to offer and pay a reward for information leading to the identification and apprehension of any person who willfully damages or destroys property, or whose willful misconduct results in injury or death to any person.

The State Superintendent of Public Instruction is required to annually adjust both of the \$10,000 liability limits specified in [Education Code Section 48904\(a\)\(1\)](#) to reflect the percentage change in the Implicit Price Deflator for State and Local Government Purchases of Goods and Services for the United States, as published by the United States Department of Commerce for the 12 month period ending in the third quarter of the prior fiscal year. The adjustment amount is calculated by dividing the third quarter index value for the prior fiscal year by the third quarter index value for the second prior fiscal year.

Shown below are the inflation adjusted liability limits and the corresponding percentage change for the current and two prior fiscal years:

<u>Fiscal Year</u>	<u>Amount</u>	<u>% Change</u>
2000-01	\$12,356	4.30%
2001-02	\$12,740	3.11%
2002-03	\$13,030	2.28%

If you have any questions about the information in this letter, please contact the Office of Financial Accountability and Information Services at (916) 322-1770, or send an e-mail message to: faisinfo@cde.ca.gov.

Please note that this letter, with links to the [Government Code](#) and [Education Code](#) sections cited above, is also posted in the correspondence section on our Web site at: www.cde.ca.gov/fiscal/financial.